

**REPORT OF THE AUDIT OF THE  
METCALFE COUNTY  
SHERIFF**

**For The Year Ended  
December 31, 2003**



**CRIT LUALLEN  
AUDITOR OF PUBLIC ACCOUNTS  
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CRIT LUALLEN  
AUDITOR OF PUBLIC ACCOUNTS

To the People of Kentucky  
Honorable Ernie Fletcher, Governor  
Robbie Rudolph, Secretary  
Finance and Administration Cabinet  
Honorable Don Butler II, Metcalfe County Judge/Executive  
Honorable Rondal Shirley, Metcalfe County Sheriff  
Members of the Metcalfe County Fiscal Court

The enclosed report prepared by Stephens & Lawson, P.S.C., Certified Public Accountants, presents the statement of revenues, expenditures, and excess fees of the County Sheriff of Metcalfe County, Kentucky, for the year ended December 31, 2003.

We engaged Stephens & Lawson, P.S.C. to perform the audit of this statement. We worked closely with the firm during our report review process; Stephens & Lawson, P.S.C. evaluated the Metcalfe County Sheriff's internal controls and compliance with applicable laws and regulations.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Crit Luallen".

Crit Luallen  
Auditor of Public Accounts

Enclosure





**REPORT OF THE AUDIT OF THE  
METCALFE COUNTY  
SHERIFF**

**For The Year Ended  
December 31, 2003**





## **EXECUTIVE SUMMARY**

### **AUDIT EXAMINATION OF THE METCALFE COUNTY SHERIFF**

**For The Year Ended  
December 31, 2003**

Stephens & Lawson, P.S.C. has completed the Metcalfe County Sheriff's audit for the year ended December 31, 2003. Based upon the audit work performed, the financial statement presents fairly, in all material respects, the revenues, expenditures, and excess fees in conformity with the regulatory basis of accounting described in Note 1.

#### **Financial Condition:**

Excess fees decreased by \$69,718 from the prior year, resulting in excess fees of \$2,202 as of December 31, 2003. Revenues increased by \$54,905 from the prior year and expenditures increased by \$124,623.

#### **Report Comments:**

- The Sheriff Did Not Publish A Financial Statement
- Lacks Adequate Segregation Of Duties

#### **Deposits:**

The Sheriff's deposits were insured and collateralized by bank securities.





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# STEPHENS & LAWSON

Certified Public Accountants

The Honorable Don Butler II, Metcalfe County Judge/Executive  
The Honorable Rondal Shirley, Metcalfe County Sheriff  
Members of the Metcalfe County Fiscal Court

## Independent Auditor's Report

We have audited the accompanying statement of revenues, expenditures, and excess fees - regulatory basis of the County Sheriff of Metcalfe County, Kentucky, for the year ended December 31, 2003. This financial statement is the responsibility of the County Sheriff. Our responsibility is to express an opinion on this financial statement based on our audit.

We conducted our audit in accordance with auditing standards generally accepted in the United States of America, the standards applicable to financial audits contained in Government Auditing Standards issued by the Comptroller General of the United States, and the Audit Guide for County Fee Officials issued by the Auditor of Public Accounts, Commonwealth of Kentucky. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the financial statement is free of material misstatement. An audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the financial statement. An audit also includes assessing the accounting principles used and significant estimates made by management, as well as evaluating the overall financial statement presentation. We believe that our audit provides a reasonable basis for our opinion.

As described in Note 1, the County Sheriff's office prepares the financial statement on a regulatory basis of accounting that demonstrates compliance with the laws of Kentucky, which is a comprehensive basis of accounting other than accounting principles generally accepted in the United States of America.

In our opinion, the financial statement referred to above presents fairly, in all material respects, the revenues, expenditures, and excess fees of the County Sheriff for the year ended December 31, 2003, in conformity with the regulatory basis of accounting.

In accordance with Government Auditing Standards, we have also issued our report dated November 16, 2004, on our consideration of the County Sheriff's internal control over financial reporting and on our tests of its compliance with certain provisions of laws, regulations, contracts, and grants. That report is an integral part of an audit performed in accordance with Government Auditing Standards and should be read in conjunction with this report in considering the results of our audit.

The Honorable Don Butler II, Metcalfe County Judge/Executive  
The Honorable Rondal Shirley, Metcalfe County Sheriff  
Members of the Metcalfe County Fiscal Court

Based on the results of our audit, we have presented the accompanying comments and recommendations, included herein, which discusses the following report comments:

- The Sheriff Did Not Publish A Financial Statement
- Lacks Adequate Segregation of Duties

This report is intended solely for the information and use of the County Sheriff and Fiscal Court of Metcalfe County, Kentucky, and the Commonwealth of Kentucky and is not intended to be and should not be used by anyone other than these interested parties.

Respectfully submitted,

*Stephens & Lawson, P.S.C.*

Stephens & Lawson, P.S.C.

Audit fieldwork completed -  
November 16, 2004

METCALFE COUNTY  
 RONDAL SHIRLEY, COUNTY SHERIFF  
STATEMENT OF REVENUES, EXPENDITURES, AND EXCESS FEES - REGULATORY BASIS

For The Year Ended December 31, 2003

Revenues

State - Kentucky Law Enforcement Foundation Program Fund	\$	8,295	
State Fees For Services:			
Finance and Administration Cabinet	\$	37,504	
Cabinet For Human Resources		<u>6,429</u>	43,933
Circuit Court Clerk:			
Fines and Fees Collected			1,860
Fiscal Court			23,630
County Clerk - Delinquent Taxes			925
Commission On Taxes Collected			84,114
Fees Collected For Services:			
Auto Inspections	\$	4,219	
Accident and Police Reports		766	
Serving Papers		8,385	
Carrying Concealed Deadly Weapon Permits		<u>2,310</u>	15,680
Other:			
Sheriff's Add-On Fee	\$	11,782	
Miscellaneous		954	
County Fees - Civil Papers		4,090	
Dog Tags		<u>183</u>	17,009
Interest Earned			617
Borrowed Money:			
State Advancement			<u>39,850</u>
Total Revenues	\$		235,913

The accompanying notes are an integral part of this financial statement.

METCALFE COUNTY  
 RONDAL SHIRLEY, COUNTY SHERIFF  
 STATEMENT OF REVENUES, EXPENDITURES, AND EXCESS FEES - REGULATORY BASIS  
 For The Year Ended December 31, 2003  
 (Continued)

Expenditures

Operating Expenditures and Capital Outlay:

Personnel Services-

Deputies' Salaries \$ 65,225

Other Salaries 23,573

Employee Benefits-

Employer's Share Social Security 12,536

Contracted Services-

Advertising 1,215

Vehicle Maintenance and Repairs 4,149

Materials and Supplies-

Office Materials and Supplies 3,228

Uniforms 685

Auto Expense-

Gasoline 8,645

Other Charges-

Conventions and Travel 781

Dues 300

Postage 1,864

Insurance 178

Dog License 169

Carrying Concealed Deadly Weapon Permits 1,725

Serving Papers 4,136

Refunds 1,171

Miscellaneous 528

Debt Service:

State Advancement 39,850

Total Expenditures \$ 169,958

Net Revenues \$ 65,955

Less: Statutory Maximum 63,753

Excess Fees Due County for 2004 \$ 2,202

Payment to Fiscal Court - August 31, 2004 645

Balance Due Fiscal Court at Completion of Audit \$ 1,557

The accompanying notes are an integral part of this financial statement.

METCALFE COUNTY  
NOTES TO FINANCIAL STATEMENT

December 31, 2003

Note 1. Summary of Significant Accounting Policies

A. Fund Accounting

A fee official uses a fund to report on the results of operations. A fund is a separate accounting entity with a self-balancing set of accounts. Fund accounting is designed to demonstrate legal compliance and to aid financial management by segregating transactions related to certain government functions or activities.

A fee official uses a fund for fees to account for activities for which the government desires periodic determination of the excess of revenues over expenditures to facilitate management control, accountability, and compliance with laws.

B. Basis of Accounting

Kentucky Revised Statute (KRS) 64.820 directs the fiscal court to collect any amount, including excess fees, due from the County Sheriff as determined by the audit. KRS 134.310 requires the County Sheriff to settle excess fees with the fiscal court at the time he files his final settlement with the fiscal court.

The financial statement has been prepared on a regulatory basis of accounting, which demonstrates compliance with the laws of Kentucky and is a comprehensive basis of accounting other than accounting principles generally accepted in the United States of America. Under this regulatory basis of accounting revenues and expenditures are generally recognized when cash is received or disbursed with the exception of accrual of the following items (not all-inclusive) at December 31 that may be included in the excess fees calculation:

- Interest receivable
- Collection on accounts due from others for 2003 services
- Reimbursements for 2003 activities
- Tax commissions due from December tax collections
- Payments due other governmental entities for payroll
- Payments due vendors for goods or services provided in 2003

The measurement focus of a fee official is upon excess fees. Remittance of excess fees is due to the County Treasurer in the subsequent year.

C. Cash and Investments

At the direction of the fiscal court, KRS 66.480 authorizes the County Sheriff's office to invest in the following, including but not limited to, obligations of the United States and of its agencies and instrumentalities, obligations and contracts for future delivery or purchase of obligations backed by the full faith and credit of the United States, obligations of any corporation of the United States government, bonds or certificates of indebtedness of this state, and certificates of deposit issued by or other interest-bearing accounts of any bank or savings and loan institution which are insured by the Federal Deposit Insurance Corporation (FDIC) or which are collateralized, to the extent uninsured, by any obligation permitted by KRS 41.240(4).

METCALFE COUNTY  
NOTES TO FINANCIAL STATEMENT  
December 31, 2003  
(Continued)

Note 2. Employee Retirement System

The county officials and employees have elected to participate in the County Employees Retirement System (CERS), pursuant to KRS 78.530 administered by the Board of Trustees of the Kentucky Retirement Systems.

This is a multiple-employer public retirement system that covers all eligible full-time employees. Benefit contributions and provisions are established by statute. Nonhazardous covered employees are required to contribute 5.0 percent of their salary to the plan. The county's contribution rate for nonhazardous employees was 6.34 percent for the first six months of the year and 7.34 percent for the last six months of the year.

Benefits fully vest on reaching five years of service for nonhazardous employees. Aspects of benefits for nonhazardous employees include retirement after 27 years of service or age 65.

Historical trend information pertaining to CERS' progress in accumulating sufficient assets to pay benefits when due is presented in the Kentucky Retirement Systems' annual financial report which is a matter of public record.

Note 3. Deposits

The Sheriff maintained deposits of public funds with depository institutions insured by the Federal Deposit Insurance Corporation (FDIC). According to KRS 66.480(1)(d) and KRS 41.240(4), the depository institution should pledge or provide sufficient collateral which, together with FDIC insurance, equals or exceeds the amount of public funds on deposit at all times. In order to be valid against the FDIC in the event of failure or insolvency of the depository institution, this pledge or provision of collateral should be evidenced by an agreement between the Sheriff and the depository institution, signed by both parties, that is (a) in writing, (b) approved by the board of directors of the depository institution or its loan committee, and (c) an official record of the depository institution. These requirements were met, and as of December 31, 2003, the Sheriff's deposits were fully insured or collateralized at a 100% level with collateral of pledged securities held by the Sheriff's agent in the Sheriff's name.

Note 4. Drug Forfeiture Account

The Metcalfe County Sheriff maintains a Drug Forfeiture Account. This account is funded by proceeds emanating from the confiscation, surrender, or sale of real and personal property involved in drug related convictions. These funds are to be used for law enforcement activities. As of January 1, 2003, this account had a balance of \$79. During 2003, funds of \$955 were received and \$539 was expended leaving a balance of \$495 as of December 31, 2003.



## COMMENTS AND RECOMMENDATIONS



METCALFE COUNTY  
RONDAL SHIRLEY, COUNTY SHERIFF  
COMMENTS AND RECOMMENDATIONS

For The Year Ended December 31, 2003

STATE LAWS AND REGULATIONS:

The Sheriff Did Not Publish A Financial Statement

KRS 424.220(6) requires the Sheriff to publish a year-end financial statement within 60 days of the close of the calendar year.

*Sheriff's Response:*

*Will publish as soon as the audit is completed.*

INTERNAL CONTROL - MATERIAL WEAKNESSES:

Lacks Adequate Segregation Of Duties

We noted the lack of adequate segregation of duties for the internal control structure and its operation that in our judgment is a reportable condition under standards established by the American Institute of Certified Public Accountants. Due to the entity's diversity of official operations, small size, and budget restrictions, the Sheriff has limited options for establishing an adequate segregation of duties. While we acknowledge these restrictions placed on the Sheriff's office, we have found that primarily one person is responsible for all of the accounting functions of the office. We recommend that the Sheriff or someone else periodically review this work in order to create compensating controls to help offset this internal control weakness.

*Sheriff's Response:*

*None.*

PRIOR YEAR:

The Sheriff had a lack of adequate segregation of duties and this was not corrected.

*Sheriff's Response:*

*None.*

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REPORT ON COMPLIANCE  
AND ON INTERNAL CONTROL OVER FINANCIAL  
REPORTING BASED ON AN AUDIT OF THE FINANCIAL STATEMENT  
PERFORMED IN ACCORDANCE WITH GOVERNMENT AUDITING STANDARDS





The Honorable Don Butler II, Metcalfe County Judge/Executive  
The Honorable Rondal Shirley, Metcalfe County Sheriff  
Members of the Metcalfe County Fiscal Court

Report On Compliance And On Internal Control  
Over Financial Reporting Based On An Audit Of The Financial  
Statement Performed In Accordance With Government Auditing Standards

We have audited the statement of revenues, expenditures, and excess fees - regulatory basis of the Metcalfe County Sheriff for the year ended December 31, 2003, and have issued our report thereon dated November 16, 2004. This was a special report on the County Sheriff's financial statement prepared in accordance with a basis of accounting other than generally accepted accounting principles. We conducted our audit in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in Government Auditing Standards issued by the Comptroller General of the United States.

Compliance

As part of obtaining reasonable assurance about whether the Metcalfe County Sheriff's financial statement for the year ended December 31, 2003, is free of material misstatement, we performed tests of its compliance with certain provisions of laws, regulations, contracts, and grants, noncompliance with which could have a direct and material effect on the determination of financial statement amounts. However, providing an opinion on compliance with those provisions was not an objective of our audit and, accordingly, we do not express such an opinion. The results of our tests disclosed an instance of noncompliance that is required to be reported under Government Auditing Standards and which is described in the accompanying comments and recommendations.

- The Sheriff Did Not Publish A Financial Statement

Internal Control Over Financial Reporting

In planning and performing our audit, we considered the Metcalfe County Sheriff's internal control over financial reporting in order to determine our auditing procedures for the purpose of expressing our opinion on the financial statement and not to provide assurance on the internal control over financial reporting. However, we noted a certain matter involving the internal control over financial reporting and its operation that we consider to be a reportable condition. Reportable conditions involve matters coming to our attention relating to significant deficiencies in the design or operation of the internal control over financial reporting that, in our judgment, could adversely affect the entity's ability to record, process, summarize, and report financial data consistent with the assertions of management in the financial statement. A reportable condition is described in the accompanying comments and recommendations.

- Lacks Adequate Segregation Of Duties

Report On Compliance And On Internal Control  
Over Financial Reporting Based On An Audit Of The Financial  
Statement Performed In Accordance With Government Auditing Standards  
(Continued)

Internal Control Over Financial Reporting (Continued)

A material weakness is a condition in which the design or operation of one or more of the internal control components does not reduce to a relatively low level the risk that misstatements in amounts that would be material in relation to the financial statement being audited may occur and not be detected within a timely period by employees in the normal course of performing their assigned functions. Our consideration of the internal control over financial reporting would not necessarily disclose all matters in the internal control that might be reportable conditions and, accordingly, would not necessarily disclose all reportable conditions that are also considered to be material weaknesses. We consider the reportable condition described on the prior page to be a material weakness.

This report is intended solely for the information and use of management and is not intended to be and should not be used by anyone other than the specified parties.

Respectfully submitted,

*Stephens & Lawson, P.S.C.*

Stephens & Lawson, P.S.C.

Audit fieldwork completed -  
November 16, 2004



